THE DECLARATION OF THE LORDS and COMMONS OF PARLIAMENT

Assembled at OXFORD according to His MAJESTIES Proclamation,

Concerning their Endeavours since they came thither for the PEACE of the Kingdom, and the Reasons enforcing their absence from *Westminster*.

CHARLES R.

OUr expresse Pleasure is, That this Declaration of the Lords and Commons of Parliament assembled at *Oxford*, be read by the Parson, Vicar or Curate, in every Church and Chappell within Our Kingdom of *England* and Dominion of *Wales*.

March 19. 1643.

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THE DECLARATION

of the Lords and Commons of Parliament Assembled at OXFORD according to His Majesties Proclamation, concerning their Endeavours since they came thither for the Peace of the Kingdom, *and the Reasons enforcing their absence from* Westminster.

WE the Lords and Commons of Parliament, being upon just and important reasons absent from the City of Westminster, whither we were Legally called or sent by the Power and Authority of His Majesties Writ, when He summoned His Parliament. And being by His gracious Proclamation of the 22. day of December, Convened at Oxford, with full Liberty to present our humble advice to His Majesty, for the preservation of the Religion, Laws, and Safety of the Kingdom, Thought it most agreeable to our Duty to God, our zeale and tendernesse of His Majesties honour and safety, and our Affection & Compassi-

on of the bleeding condition of our miserable Countrey, to use our utmost and earliest endeavours, to prevent the effusion of more Christian English Blood, and to close those wounds, through which this Kingdom is in danger, in a short time, to languish even to desolation. And finding the ill successe which had attended all the Overtures of Treaty and Accommodation made by His Majesty; His Majesties most gracious Message from Nottingham, being with so much contempt rejected, which being sent by Members of both Houses, those Messengers were not suffered to deliver it, as Members, or to sit in the House whil'st the same was debated, contrary to the Priviledge of Parliament; and that to the two last Messages, sent by Him, of the twelfth of Aprill, and nineteenth of May, (in both which are most gracious expressions of His Princely and passionate inclinations to Peace, as may appear by those Messages herewith again reprinted,) there hath not been the least Answer returned to His Majesty: but on the contrary, His Messenger imprisoned, and to this day detained; and an Order, that on pain of death none should presume to come thither from His Majesty, upon what businesse soever, without leave from the Earl of Essex: in pursuance of which Order, though the same passed onely the Commons, a sworn Messenger of His Majesties hath been barbarously put to death, for carrying a legall Writ to London; We thought any addresse for Peace would most successefully passe through his hands; and that when we had considered how unhappily he had been made an

M. Alexander Hampden.

Daniel Knive-ton.

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Inſtrument of ſo much blood and devaſtation, he would with great cheerfulneſſe have interpoſed in a buſineſſe of Reconciliation, and at leaſt have met us half way in ſo bleſſed a Work; and therefore with His Majeſties leave (which He moſt readily and graciouſly gave us, and for which we doubt not He ſhall receive the Thanks and Prayers of all His good Subjects,) we direct a Letter to that purpoſe to him, ſigned under our Hands. Whoſoever reads that Letter (and we hope it will be read by all men) will bear us witneſſe (and it will be a Witneſſe againſt thoſe who have rejected it,) that we have done our parts. Inſtead of vouchſafing us any Anſwer, or propoſing us any other way towards Peace, (if that which we propoſed was not thought convenient,) he writes a ſhort Letter to the Earl of Forth, Generall of His Majeſties Army, acknowledging the receipt of ours, but ſaying, that it neither having addreſſe to the two Houſes of Parliament, nor therein there being any acknowledgement of them, he could not communicate it to them; Whereas the addreſſe was in the way preſcribed, (preſcribed under pain of Death no addreſſe being allowed, as aforeſaid, but by the Earl of Eſſex,) and he being deſired to repreſent to, and promove with thoſe by whom he is truſted, our moſt ſincere and earneſt deſire of a Treaty; ſo that if there had been the leaſt inclination to, or enduring of an Overture of Peace, he might have as eaſily communicated it to all thoſe by whom he is intruſted, as to a Committee, by whoſe Advice ('tis well known) his Anſwer was ſent, and with it, and as part of it, a Paper entitled,

The Declaration of the Kingdom of *Scotland*, and, A Declaration of the Kingdoms of *England* and *Scotland*; and another, A ſolemn League and Covenant; the Declarations and Covenant being againſt the King of both Kingdoms, without the conſent of, and againſt the Major part of the Nobility, and we are confident the Gentry and Commonalty of this. And if his Lordſhip would make good his own Letter, and ſpend His Blood, or but uſe his endeavour for the maintenance of the Parliament of England, being indeed the foundation whereupon all Our Laws and Liberties are ſupported, We ſhould not Treat at this diſtance, at leaſt a Treaty would not have been rejected. We ſuffered not Our Selves to be diſcouraged with this refuſall, but a ſafe Conduct was deſired for two Gentlemen (againſt whom there neither was or could be the leaſt exception) to go to Weſtminſter, to preſent ſuch Propoſitions as might beſt conduce to the Peace of the Kingdom; conceiving, that by ſuch means Our meaning and Intentions might beſt appear, & all formalities and unneceſſary inſiſting & miſtakes upon words might be removed. This ſafe Conduct (which hath never been denyed by His Majeſty, or His Generalls, to any Perſon who hath deſired to have admittance to Him,) was likewiſe abſolutely refuſed by the Earl of Eſſex, yet with ſome expreſſions, That if any Propoſitions ſhould be ſent to thoſe by whom he was intruſted, he would uſe his utmoſt endeavours to advance Peace; which though it ſeem'd nothing agreeable to his former Anſwers, obtained yet ſo much credit with Us, that We beſought His Majeſty once more

more, in His own Royall Name, to presse and desire a Treaty, and to direct His Message under such a Title, that they who call themselves the two Houses of Parliament could not take any exception, but should be compelled to return some answer or other. And an answer it hath drawn from them, but such a one as will sufficiently inform the World (if there could yet have remained any doubt of it) how much they are Enemies to Peace. Those Answers, Declarations, and that Covenant, are likewise publique to all men, God and the World must judge between us. In the mean time we must, without bitternesse or sharpnesse of Language, (to which neither example or provocation shall transport us) tell these men, That most of us are too well known, even to themselves, to be suspected to incline to be either Papists or Slaves, or that we can possibly be made Instruments to advance either Popery or Tyranny. And since the defence of the Religion, Laws, and Liberties of the Kingdom, seems to be (and in truth is on our part) the Argument of this bloody Contention, and that we are endeavouring all wayes to destroy one another, in the behalf of that we all do, or all pretend to desire; We think our selves obliged to Truth, to the present Age, and to Posterity, to let the world know, That as we are much more tender of the Religion, Laws and Liberty of the Kingdom, then of our Lives and Fortunes, so the uneasie Condition wherein we are, and the heavy Judgements and proscriptions imposed on us by our equalls, have proceeded, and been caused from that Conscience,

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Loyalty and Duty, in which we have been born and bred, and from which we could not swerve without the manifest breach of our Allegiance, and those civill Oathes we are obliged by; as, we hope, will appear to all men by this our ensuing Declaration.

We shall passe over (onely acknowledging His Majesties abundant care and favour to His People) those excellent Laws made this Parliament, for the vindication and removall of those mischiefs and inconveniences, which seemed to threaten our Rights and Liberty, to all which there are very few amongst us who concurred not fully, (however we are now traduced with the negligence of both;) And that most gracious offer of His Majesty, to consent to an Act for the ease of tender Consciences in matters indifferent, which if it had been accepted, would have prevented many of the miseries have since befallen this poor Kingdom.

And because the name and Privilege of Parliament is pretended in defence of those Actions, which are done contrary to the known Laws, (by which onely right and wrong can be measured and determined,) and by that venerable name many of our Companions and Friends have been led into unwarrantable Actions; before we come to consider the state and condition of the Religion, Laws and Liberty of the Kingdom by these distractions, we shall let the world know, how much the inherent and essentiall Priviledges of Parliament have been violated; how we (being called by His Majesty, and trusted by our Countrey with their suffrages in

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that Counsell) have been driven, and are now kept from the place whither we were first called by His Majesty, and where some Members still sit; And lastly, how farre this miserable, and (to say no more) this unjustifiable civill war, and this desperate and odious Invitation of a Forreign Power to invade this Kingdom, is from having the Countenance, Authority and approbation of the two Houses of Parliament.

The great Industry and ill Arts used by those who have since been principall Instruments of the present Rebellion, to bring in Persons of their Faction into the Houle of Commons; the admitting and receiving such who were neither lawfully chosen, or lawfully returned by their Countrey, and the putting and keeping out others whose opinions were not liked; The reprehending, reproaching and imprisoning of Members for speaking freely according to their consciences in matters in debate; The Posting and setting up Mens names in publique places, and proscribing them as Enemies to their Countrey, who dissented in the Houses in opinion in matters debated, and being complained of, no reparation granted; The sitting at unparliamentary houres, thereby wearying and tyring many Members from attendance, and so in a thin Houle altering and reversing the resolution taken in a full Houle; The refusing to receive and suppressing Petitions against Persons in favour, though in point of Bribery and corruption in Judicatory; and the like of other Petitions from whole Counties, for the preservation of the Government

As in the case of the late Earl of *Manchester* Lord Privy-Seal.

of the Church, as from Nottingham-shire, and Somerset-shire, whil'st others against it were retetved with great countenance and approbation, from mean, unknown People; The getting with great labour and Faction severall hands to Petitions from Counties, and then framing new Petitions at London, and annexing the hands formerly gotten in the Countrey to those Petitions, of which they who subscribed their hands know nothing, as in the Petition of Buckingham-shire, and the setting names in London, to Petitions in the name of, as if they had been subscribed in remote Counties; The usurping of Jurisdictions to supercede Acts of Parliament, and to dispense with the breach of Laws in force; The suffering undutifull and disloyall language against the sacred Person of the King, without so much as Reprehention, and the denying His Majesties negative Voyce, We insist not so much (though very prejudiciall and scandalous to the Priviledges and Honour of Parliament) as on those Acts of Force and Violence, which are contrary and destructive to the Freedom and Liberty of Parliament.

Shortly after, His Majesty returned from Scotland, there being a very long debate in the House of Commons concerning an unparliamentary Remonstrance to be published to the People of the state of the Kingdom, (which many of Us then thought might prove prejudiciall to the Peace thereof;) Captain Venne, then a Member of the House of Commons, (who had before bragged of having brought down the People upon the two Houses, and so

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drawn Resolutions from them,) sent notes in writing under his hand into the City, that the People should come down to Westminster, for that the better part of the House was like to be over powred by the worser part; whereupon both at that time, and some dayes after, Multitudes of the meanest sort of People, with weapons not agreeing with their condition or custom, in a manner very contrary and destructive to the Priviledge of Parliament, filled up the way between both Houses, offering injuries both by words and actions to, and laying violent hands upon severall Members, proclaiming the names of severall of the Peers, as evill and rotten-hearted Lords, crying out many houres together against the established Laws, in a most tumultuous and menacing way. This action of Captain Venne's was complained of to the House of Commons, and Witnesses offered to prove it; a Fellow who had assaulted and reproached a Member of the House of Commons in those Tumults was complained of, and shewed to the House, in the number of those who brought a Petition to the Barre; and yet in neither of these cases Justice, or so much as an Examination could be obtained. Upon a suggestion and pretence of danger, and suit made to His Majesty, a Guard was allowed and appointed by Him for the security of both Houses: shortly after, this Guard was refused and discharged by themselves, and a new Guard appointed by them without His Majesties consent, thereby to awe all those who concurred not with them. A legall Writ issuing out by the direction of the House of Peers-

under the great Seal of England, to prevent those Tumults which daily infested both Houses, the Justices of the Peace, for executing that Writ according to their Oathes, were imprisoned by the House of Commons. A Commission under the great Seal of England, for enquiry after Riots committed in Southwark, was likewise superceded by an Order of the House of Commons; And when the Lords desired by several all Messages, that the House of Commons would joyn with them in a Declaration against Tumults, they refused, or neglected to joyn with them, it being said by Master Pym in the House of Commons, God forbid we should dishearten our friends who came to aid us. And albeit some of the Lords protested, that if the People were again driven down in that tumultuous manner, they would no more come to the House; and albeit an Order was made, that in such a case the House should be presently adjourned; yet those Tumults again appearing, that Order, though urged by several Lords, was not suffered to be executed.

The House of Commons having desired the House of Peers to joyn with them in desiring His Majesty, that the Militia of this Kingdom might be put into such hands as both Houses did confide in; and this desire having been put to the Question, and carried negatively by much the Major part of the Lords: it being again retumed at another time (contrary to the course of Parliament) the debate was begun with a Declaration made by several of those Lords, against whom that Question was twice carryed by Votes, (and that by much the

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Major part) that whosoever refused in this particular to joyn with the House of Commons, were in their opinions Enemies to the State; words destructive from the Liberty and freedom of debate.

During the time that this businesse of the Militia was in debate, (that is, before it had the approbation and consent of the House of Peers) a Petition in a tumultuous manner was delivered to the House of Lords, in the name of the Knights, Gentlemen, Freeholders and others the Inhabitants of the County of Hertford, reckoning up the causes of the present fears, Troubles and Distractions, and among them the want of Compliance in that honourable House with the House of Commons, in entertaining those many good motions, and passing those necessary Bills presented to them from that House, for the publique good; and desiring Liberty to protest against all those, as Enemies to the publique, who refused to joyn with the Honourable Lords, whose endeavours were for the publique good, and with the House of Commons, for the putting the Kingdom into a posture of safety under the Command of such persons as the Parliament should appoint. Severall Petitions of the same nature, particularly one under the Title of the Knights, Gentlemen, Freeholders and other Inhabitants of the County of Surrey, directed to the House of Peers, concluded with this close, That they should be in duty obliged to maintain their Lordships so farre as they should be united with the House of Commons in their just and pious proceedings; sufficiently intimating, That if they joyned not with the house of Com-

mons, they then meant as much as others had plainly professed. About the same time, a Citizen saying at the Barre of the House of Commons, That they heard there were Lords who refused to consent and concurre with them, and that they would gladly know their names, or words to that effect; A Petition in the name of many thousand poor People, in and about the City of London, was directed to the House of Commons, taking notice of a Malignant faction that made abortive all their good motions, which tended to the Peace and tranquillity of this Kingdom, desiring that those noble Worthies of the House of Peers, who concurred with them in their happy Votes, might be earnestly desired to joyn with that Honourable House, and to sit and Vote together, as one entire body; and professing, that unlesse some speedy remedy were taken for the removing all such obstructions, as hindred the happy progresse of their great endeavours, their Petitioners should not rest in quietnesse, but should be forced to lay hold on the next Remedy which was at hand, to remove the disturbers of the Peace, and (want and necessity breaking the bounds of modesty) not to leave any means unassayed for their relief; Lastly, adding that the cry of the Poor and needy was, that such Persons, who were the obstacles of their Peace, and the hinderers of the happy proceedings of this Parliament, might be forthwith publiquely declared, whose removall they conceived would put a Period to those distractions. And this Petition was brought up to the House of Lords, by the House of Commons at a Conference: and after, the same day, Mr. Hollis, a Member of the House of Commons, in a Message from that

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House prefled the Lords at their Barre to joyn with the House of Commons in their desire about the Militia; and further with many other expressions of like nature desired in words to this effect, That if that desire of the House of Commons were not assented unto, those Lords who were willing to concurre, would finde some means to make themselves known, that it might be known who were against them, and they might make it known to those that sent them. After which Petition so strangely framed, countenanced and seconded, many Lords thereupon withdrawing themselves, the Vote in order to the Militia, twice before rejected, was then passed.

After these and other unparliamentary Actions, many things rejected and setled upon solemn debate were again, after many Threats and Menaces, resumed, altered, and determined, contrary to the Custom and Laws of Parliament. And so many of us withdrew our selves from thence, where we could not Sit, Speak, and Vote, with Honour, Freedom, and Safety, and are now kept from thence for our duty and Loyalty to our Soveraign. And though some of us Sate and continued there long after this, hoping that we might have been able to have prevented the growth and progresse of further mischief; yet since the Priviledge of Parliament is so substantiall and entire a Right, that as the Invasion of the Liberties of either House is an injury to the other, and the whole Kingdom; so the violence and assaults upon any of our fellow Members, for expressing their opinions in matters of debate, were instances to us, what we were

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to look for when we should be known to dissent from what was expected; and under that consideration every one of our just Liberties suffered violation.

Many of us having for these and other reasons, after His Majesty himself was by many indignities and force driven from Westminster, have been, contrary to the right and freedom of Parliament, Voted out of the House, without committing any Crime, and some of us without hearing, or so much as being summoned to be heard; and so our Countries, for which we were, and are trusted, have been without any Parties or Persons trusted on their behalf; an Army hath been raised without and against His Majesties Consent, and a Protestation enjoyned to live and dye with the Earl of Essex, their Generall of that Army; and a Member now amongst us refusing to take that Protestation, was told, That if he left not the Town speedily he should be committed to the Tower, or knocked on the head by the Souldiers. All Persons, even the Members of both Houses, have been and now are forced, or enjoyned to contribute for the maintenance and support of that Army: A traiterous Covenant is since taken by the Members who remain, and imposed upon the Kingdom, that they will to their power assist the Forces raised and continued by both Houses of Parliament, against the Forces raised by the King, with many other Clauses, directly contrary to their Allegiance; and another for the alteration of the Government of the Church established by Law; and such Members as have refused, according to their duty and conscience, to take those Covenants, have been

Master *Gamul.*

imprisoned

imprisoned or expelled, so as they have suffered none to reside with them, but those who are engaged with them in their desperate courses.

The whole Power and Authority of both Houses is delegated, against the Law and nature of Parliament, to a close Committee, which assumes and usurps the power of King, Lords, and Commons, disposes of the Persons, Liberties and Estates of us and our fellow Subjects, without so much as communicating their Resolutions to those that sit in the Houses. And when an Order hath been reported to be confirmed by them, it hath been onely put to the Question, no debates being suffered, it having been said in the House where the Commons sit, to those who have excepted against such an Order, when presented, That they were onely to Vote, not to dispute; and thereupon all Argument and contradiction hath been taken away. And to shew how impossible it is to contain themselves within any bond of civility and humanity, when they have forfeited their Allegiance; after the attempt in a most barbarous manner to Murther the Queens Majesty at Her landing at Burlington, by making many great shot at the house, where Shee lodged for Her repose after a long Voyage by Sea, where by Gods blessing it was disappointed, they impeached Her of High Treason, for assisting the King Her Husband, and the Kingdom in their greatest necessities. All Petitions and Addresses for Peace have been, with great Art and vehemence, discountenanced and suppressed, whilst others for sedition and discord have with no less

Industry and passion been promoted. And when the Members of the House of Commons 1st August last, had agreed upon a long and solemn debate to joyn with the Lords in sending Propositions of Peace to His Majesty, the next day Printed Papers were scattered in the Streets, and set upon the publique places both in the City and Suburbs, requiring all Persons well affected to rise as one man, and to come to the House of Commons next morning, for that 20000 Irish Rebells were landed; which direction and Information was likewise that day given in Pulpits by their seditious Preachers; & in some of those Papers were subscribed, That the Malignant Party had over-voted the good, and if not prevented there would be Peace; (the Propositions for Peace being the day before carryed by nine and twenty voyces;) a common Councell was called late at night, though Sunday, and a Petition there framed against Peace, which was the next morning brought to the House, countenanc'd by Alderman Pennington (a known Promoter and Governour of those Tumults,) and attended with a great multitude of mean persons, who used Threats, Menaces and Reproaches to the Members of both Houses; their Petition took notice of Propositions passed by the Lords for Peace, which it allowed, would be destructive to Religion, Laws and Liberties; and therefore desired an Ordinance according to the Tenor of an Act of their common-Councell the night before; Thanks was given them by the Commons, whilst the Lords complained of the Tumults, and desired a concurrence to suppresse them,

them, and to prevent the like, menaced the People telling the Members of both Houses, That if they had not a good Answer they would be there the next day with double the number. By these Threats and Violence, the Propositions formerly received were rejected, and all thoughts of Peace laid aside: Shortly after, great numbers of women resort to the House where the Commons sate, with a Petition for Peace; Troops of Horse were hereupon sent for, who wound and kill several of the women, and disperse the rest; then speciall notice was taken of those Members who seemed most importunate and desirous of Peace, and thereupon the late Covenant eagerly and severely prest upon them. By reason whereof, and the other miscarriages, whereby their freedom was absolutely taken from them, divers of both Houses withdrew themselves.

And we must now appeal to all Our fellow Subjects of this Kingdom, who have taken the Oathes of Allegiance and Supremacy, who have any knowledge of the Rights, Customs and Priviledges of Parliament, or of the frame and Constitution of this Realm, whether we or they have failed in our duty to our King or Countrey, and whether we have not, in discharge of a good Conscience, undergon the evils we have born. And then we doubt not, we shall not be thought lesse Members of Parliament, though we are not at Westminster, then if that City were in the possession of a Forreign Enemy; yet we confesse the place to be so materiall, That if there were that Liberty and freedom which is due to the Members, and in-

deed is the sole of Parliament, the Act of those in the House (being a lawfull Act) is the Act of the House, though there were a greater number absent, all who were of another opinion: but in our case, when we are by force driven away, and by force kept away, and when nothing can be said to justifie the Actions which are done, but the Reputation and number of the Actors, we relie so much upon the understanding and honesty of our Country-men, that they will beleeve, when they see our concurrence, and unanimitie in Resolutions and Counsell for their Peace, welfare and security, (as we are confident the number of those who concurre in this Declaration, is greater then hath concurred in most, if not in any of those things of which we complain,) that it will be better for them to be advised by Us at Oxford, then by those at Westminster; from whence we are absent onely by reason of those outrages and violence offered to our Persons or our Consciences, which takes away all freedom, & consequently all authority from those Councells; and where indeed these men ought not to undertake to act any thing, till that freedom and liberty be restored to us, who as long as this Parliament shall continue (notwithstanding all the Votes of those who are Guilty of Treason and Rebellion) must account our selves, and shall be accounted by our Countrey, the true and lawfull Members of Parliament.

Having said thus much to undeceive our Brethren, and that our fellow Subjects may be no longer seduced to unlawfull actions, by colour and

pretence

present of Parliament, we shall humbly present to their wise consideration the danger and condition of His Majesties Person; His Honour, and Rights, the Religion and Liberty of the Kingdom, the defence and maintenance of which those persons, with whom we cannot agree, seem and pretend to undertake. For their care of the honour and safety of His Majesties Person, (to the which we are so absolutely obliged, and so solemnly sworn) we shall need onely to mention, (which we mention with great sadness of heart and horror) the taking by force His Majesties Forts, Towns, Navy, the assuming a power over the Militia of the Kingdom, the denying His Majesties Negative Voyce, the uncomely, insolent and disloyall mentioning of His Majesties person, the neglect, contempt and violation of Leagues made by His Majesty with Forreign Princes, in the Injuries and affronts done to their publique Ministers, and otherwise, the transcendent presumption of sending Agents to Forreign Princes, and in the name of the States of England, the traiterous distinction between the Person of the King and His Office, and declaring, That an attempt upon His life is not High Treason, which Doctrine is so much countenanced, that Persons, who have threatned to kill the King, having been complained of, have been left unpunished, and the Witnesses and Prosecutors threatned or discountenanced; The raising an Army against Him, and therewith giving Battell to His Person; All which are known to be very unagreeable with the Affection, Duty and Loyalty of Subjects, and Englishmen.

Concerning Religion, we cannot but with bleeding hearts, and trembling soules consider the unheard of Impieties and Prophanations exercised in Churches, and Consecrated places, the Countenance and license given to scandalous, deboth, ignorant Lay-persons to Preach, and exercise the Office of the Ministry; the suppressing & cruell using and imprisoning in Goales and on Ship-board, Godly, Learned, Orthodox Divines, famous and exemplar in their Lives & Doctrine, the most eminent Assertors of the Protestant Religion, against Popery and Innovations; The Scurrilous and Scandalous Reviling, scoffing and suppressing the Book of Common-Prayer, compiled by glorious Martyrs for the Protestant Religion established by Law, and so long, and so publiquely used, and acknowledged as an excellent and unparallel'd form of Devotion and Divine Service; The suspending the execution of the Act of Parliament made in the first yeer of Queen Elizabeth of famous memory, for uniformity of Common-Prayer, by an Order under
M. Pym. the hand of a private Member of the House of Commons, and that during the recesse of both Houses; The stirring up and inciting the People to Rebellion in Pulpits, and (which is the greatest scandall and reproach to the Protestant Religion that can be imagined) the making Religion it self the ground and cause of Rebellion; Lastly, after having lived so many yeers in the most glorious, and most unblemished Church of Christendom, the totall defacing and puling down the whole fabrick of it; censuring and reproaching the Doctrine,

and

and destroying the Discipline; and as if we were cast a shore in some uninhabited Climate, where the Elements of Christianity were not known, The calling, without the least shadow or colour of Law, or Lawfull Authority, against His Majesties expresse Consent, manifestly against the Statute of 25 yeer of King Henry the eight, an Assembly of Divines, composed of some Noblemen, Gentlemen, and Ministers, (all under the stile of Godly and Learned Divines) most of which are not otherwise known then by their Schisme and separation from that Church in which they were born, and to which they have subscribed; and these men now must new make and mould the Religion, by which we must all be saved. God in his good time we hope will vindicate his own cause, and repair the breaches which have been lately made.

For the Laws of the Land, and the Liberty of the Subject, so speciously urged and pretended to be the end of those who have disturbed our Peace, We need say little; Every place and every person is an ample evidence and testimony of the bold and avowed violation of either. The Charter of our Liberties Magna Charta, so industriously and Religiously preserved by our Ancestors, and above Thirty severall times confirmed in Parliament, that Rampier and Bulwark of all the pretious Priviledges and Immunities which the Subjects of this Kingdom could boast of, and which distinguishes them from all the Subjects of Christendom, is levelled and Trampled underfoot, scorned, despised and superseded by Votes and Orders; Men

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of all sorts, Clergy and Laity, imprisoned without the least charge that by the Law is called a Crime, and their Estates sequestred by persons of whom the Law can take no notice; Committees made by Committees, Rob, Banish, and Imprison the Lords and Commons of England; When committed by persons of no Authority, for no cause, to whom, have by Habeas Corpus (the good old Remedy and Security for our Liberty) been brought to the Kings Bench, and by Command of those who first Committed them remanded, and Commands given to the Judges that they should grant no Habeas Corpus (which they were sworn to grant) to any Persons committed by them, or by those to whom they grant Authority to commit, which themselves have not power to do. Neither can we passe over the motion made by Mr. Rigby, a Member of the House of Commons, to transport those Lords and Gentlemen who were Prisoners, and by them accounted Malignants, to be sold as Slaves to Argiers, or sent to the new Plantation in the West Indies, urged the second time with much earnestnesse, because the Proposer had contracted with two Merchants to that purpose, the which though it took no effect at that time, may awaken those who have observed so many things to passe and be ordered, long after it hath been once or twice denied and rejected. And who sees the new and inhumane way of imprisoning Persons of Quality under Decks on Ship-board, by which cruell usage, many of our Country-men have been murthered, may have reason to fear they may hereafter carried a

longer

longer voyage then is yet avowed. The twentieth part of our Estates is at once taken, and if we are not willing to obey that Order, the other Nineteen are taken from us as Malignants, a term unknown and undefined, and yet crime enough to forfeit our lives, and all that we have. Our fellow Subjects have been executed in cold blood, for doing that which by the Laws of God and Man they were bound to do; and after their Murther, their estates seized, & their Wives and Children exposed to misery and famine. Laws made, and Penalties imposed by Laws this Parliament, are suspended dispensed withall, and those things done by Order, against which those Laws were made. And that there may be no face of Justice over the Land, the Judges are prohibited to ride their Circuits, for the administration of that Justice which the King owes His People, and they are bound to execute. And after all this, and after the mercilesse shedding so much English blood, after the expending so much money, (much of which was given for relief of our poor Protestant Brethren of Ireland, and diverted for the improving the distractions at home,) after the transportation of such vast summs of money, and great Treasure into Forreign Parts, to the unspeakable impoverishing this poor Kingdom; To make our misery lasting and our Confusion compleat; a Forreign enemy is invited and brought into the Bowells of this Kingdom, to drink our blood to divide our Possession, to give us new Laws, and to Rule over us; and the better to make way to those horrid Impositions, by confounding and

M. *Yeomans* and M. *Boucheir* of *Bristoll.* M. *Tompkins*, M. *Challoner* at *London*, and divers others.

making void all civill Rights and Propricties, and the better preparing the Kingdom to be shared by strangers, a New Great Seal (the speciall enligne of Monarchy, and the onely way by which Justice is derived and distributed to the People) is counterfeited and used, albeit it be by the expresse letter of the Statute of the 25. yeer of King Edward the third, declared to be High Treason.

Having now made this cleer, plain Narration to the Kingdom, (the truth and particulars whereof are known to most men) that when Posterity shall finde our names in the Records of these times, as Members trusted by our Countrey in that great Councell, by whose authority and power the present alteration and distraction seems to be wrought, It may likewise see how farre we have been and are from consenting to these desperate and fatall Innovations; we cannot rest satisfied without Declaring and Publishing to all our fellow Subjects, and to the whole World, That all our Intentions and Actions have been, are, and shall be directed to the defence of His Majesties Person and just Rights; the preservation of the true Protestant Religion, and Liberties of the Kingdom established by Law; That as we do with all humility to God Almighty, and as a great blessing from him, acknowledge His Majesties happy and Religious Reign and Government over this Kingdom, and especially the excellent Laws, and Statutes made in His time, and particularly those in this Parliament; so we do with all duty and submission Declare, That His Majesty is the onely supream Go-

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vernour of this Realm in all causes Ecclesiasticall and Temporall; That His naturall Person is not to be divided from His Kingly Office, but that our naturall Allegiance, and the Oathes of Allegiance and Supremacy, do binde us and all His other Subjects, to Loyalty and Allegiance, to His naturall Person; That His Majesties Negative Voyce (without which Monarchy is dissolved) is an inherent Right of His Crown, and that no Orders of one or both Houses of Parliament, without His Majesties expresse consent, can make a Law to binde the Subjects, either in their Property or Liberty; That we do from our soules abhorre the present Rebellion raised in this Kingdom against His Majesty, and that all His Majesties Subjects are bound by their naturall Allegiance, and the Oathes Lawfully taken by them, to the utmost of their power, to resist and represse the same; and particularly the Army now under the Command of the Earl of Essex, and all other Armies raised, or to be raised without His Majesties consent, under pretence of the two Houses of Parliament. And we do disclaim all Votes, Orders and Declarations in Countenance or maintenance of the said Armies, And Declare, That no Oath or Covenant voluntarily taken, or inforced, doth, or can binde or dispence with the breach of those other Oathes formerly and Lawfully taken to His Majesty; And that all those who ayd, assist, or abet this horrid and odious Rebellion, are, and ought to be accounted & pursued as Traitors, by the known Laws of the Land; That we utterly detest and disclaim the In-

vitation which hath been made to His Majesties Subjects of Scotland to enter this Kingdom with an Army, the same being as much against the desires, as against the duty of the Lords and Commons of England, and all true hearted Englishmen; And we do declare and publish to the world, That as any such Invasion, or hostile entry into the Kingdom by the Rebellious Subjects of Scotland, is a direct and peremptory breach of the late Act of Pacification between the two Kingdoms; so that we, and all the Subjects of this Kingdom are bound by our Allegiance, and by that very Act to resist and repulse such Invasion; and whosoever is, or shall be abetting, aiding or assisting to those of Scotland, in their hostile Invasion of this Kingdom, ought to be looked upon as betrayers of their Countrey, and are guilty of High Treason by the known Laws of the Kingdom.

And that our weak mis-led and seduced Countrymen, may no longer pay an implicite regard and reverence to the abused name of Parliament, (which these guilty Persons usurp to themselves) and so submit to those Actions and Commands, which two Houses of Parliament (never so legally and regularly constituted) have not authority to require or enjoyn; and since these men will not suffer their poor Countrey to be restored by a Treaty to the benefit of a Parliament, which would with Gods blessing easily remove these miseries, and prevent the like for the time to come; We must and do declare to the whole Kingdom, That as at no time either of both Houses of Parliament, can by any

Orders

Orders or Ordinances impose upon the People without the Kings consent; so by reason of the want of Freedom and Security for all the Members of Parliament to meet at Westminster, and there to Sit, Speak and Vote with freedom and safety, all the Actions, Votes, Orders, Declarations, and pretended Ordinances, made by those Members who remain still at Westminster, are void and of none effect; And that as many of the Lords and Commons Assembled at Westminster, as have at any time consented to the raising of Forces under the Command of the Earl of Essex, or to the making and using of the new Great Seal, or to the present coming of the Scots into England in a warlike manner, have therein broken the trust reposed in them by their Countrey, and are to be proceeded against as Traitors. And yet we are farre from dissolving or attempting the dissolution of this Parliament, or the violation of any Act made and Confirmed by His Majesties Royall Assent this Parliament, which we shall always maintain and defend: Acts of Parliament are onely in danger to be destroyed by those who under-value and despise the Authority and Power of Acts of Parliament, who therefore deny the Kings Negative Voyce, and neglect His Concurrence, that their own Resolutions may be reputed as Acts of Parliament, to the Ruine and Confusion of all Laws and Interest. It is our grief in the behalf of the whole Kingdom, that since the Parliament is not dissolved, the power thereof should, by the Treason and Violence of these Men, be so farre suspended, that the Kingdom should be

without the fruit and benefit of a Parliament, which cannot be reduced to any Action or Authority, till the Freedom and Liberty due to the Members be restored and admitted; and they who oppose this, must be onely looked upon as the Enemies to Parliament: in the mean time we neither have or shall attempt any thing for the adjourning, dissolving or prorogueing thereof, otherwise, then as it may stand with the Act in that case provided.

Lastly, we declare, That our endeavours, actions, and resolutions tend, and are directed, and shall alwayes be directed, to the maintenance of Gods true Religion, established by Law within this Kingdom; to the defence of His Majesties Sacred Person, His Honour and just Rights; to the preservation of the Liberty and Property of the Subject, setled, and evident by the Laws, Statutes and Customs of the Realm: and the just Freedom, Liberty and Priviledge of Parliament; and that what we shall do for the defence and maintenance of all these, proceeds from the conscience of our duty to God, our King and Countrey, without any private and sinister ends of our own, and out of our sincere love to truth and Peace, the which as we have, so we shall alwayes labour to procure, as the onely blessed end of all our labours. And we do therefore conjure all our Countrey-men & fellow-Subjects, by all these precious obligations of Religion to God Almighty, of Loyalty towards their Soveraign, of affection towards one another, and of charity and compassion towards their bleeding Countrey, to assist and joyn

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with us in the ſuppreſſing thoſe Enemies to Peace, who are ſo much delighted with the ruine and confuſion they have made, that they will not ſo much as vouchſafe to Treat with us, that all ſpetious pretences might be taken away, and the grounds of this bloody Contention clearly ſtated to the World. If theſe men, with a true ſenſe and remorſe of the ill they have done, ſhall yet return to their duty and loyalty, they ſhall (God willing) finde us of another temper towards them, then they have been towards us; and if the conſcience of their duty ſhall not draw all our fellow Subjects and Countrey-men to joyn with us in aſſiſting His Majeſty, we hope that the prudent conſideration (that 'tis impoſſible to reaſon, for our miſerable Countrey ever to be reſtored to Peace and happineſſe, but by reſtoring all juſt and legally due power and authority into His Majeſties Hands again,) will direct them what is fit to be done by them. And if any yet ſhall be ſo unskilfull, and to ſay no worſe, vulgar ſpirited, to hope by a Neutrality and odious indifferency, to reſt ſecure in this ſtorm, though we ſhall not follow the examples of other men, in telling them, That their Eſtates ſhall be forfeited and taken from them, as pernitious and publique Enemies, (God be thanked) the Law is not ſo ſuppreſt, but that it proceeds in Attainders and Forfeitures, and all men know an Eſtate Eſcheated to His Majeſty by High Treaſon, is as much, as legally His Majeſties, or his to whom His Majeſty grants it as ever it was the unhappy Perſons who hath ſo forfeited it;)

it;) yet we must let them know, that their condition is like to be very dangerous; and that as they (for resistance of whom His Majesties Armies are raised) have declared to them what they are to expect at their hands, that is, to be dealt with as pernitious and publique Enemies; So they have reason to beleeve, that His Majesty cannot looke upon them as Persons who have performed that duty they are obliged by their naturall Allegiance, and their Oathes enjoyned by Law, which is, to defend the King to the utmost of their Power, against all conspiracies and attempts whatsoever, which shall be made against His Majesties Person, His Crown and Dignity; and to do their best endeavours to disclose and make known to Him all Treasons and Conspiracies which shall be against Him; to their power to assist all Jurisdictions, Priviledges, Prehemineneces and Authorities belonging to Him, or united to the Imperiall Crown of this Realm. The just and pious consideration and weighing of which Oath and obligation, must stirre up all men of Loyalty and Conscience, to be industrious and active on His Majesties behalf against this horrid and odious Rebellion, and against the Authors and Fomenters of the same. And we are confident it will not a little encrease the Indignation of all good true Englishmen, to finde these disturbers of their Peace, who have so spertiously pretended the defence of the Rights and Priviledges of Parliament, unite themselves with, and govern their Actions by the concurrent advice and consent of Commissioners of another Kingdom, whose businesse is to alter our Laws, and con-

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found our Government. And if all the other particulars so plainly set down in this Declaration, and so publiquely known to mankind, were wanting, there could not be a greater instance of deserting the Dignity and Right, and as much as in them lies, cancelling all the Liberties and Priviledges of Parliament, then for their men to breach the trust reposed in them by their Country, and to submit themselves to the advice, and oblige themselves to the consent of Agents of another Kingdom, who have cast off their Allegiance, and united themselves together against their naturall and native King, and against the Laws of both Kingdoms, and have given an ample testimony to all those they have visited, how farre they are from submitting or intending to be governed by parliament, or by those who would yet be thought the two Houses of Parliament, by joyning four Scotchmen (Agents for that Rebellious Army which hath invaded this Kingdom) in equall power and authority with seven Lords and fourteen Commons, by whose sole and uncontrolled managery and consent, all businesse of Peace and Warre, which do or may concern this languishing Kingdom, must be governed. And yet these men take it very Haynously, that His Majesty should move them in order to Peace, to agree that all the Members of both Houses may securely meet in a full and free Convention of Parliament; because (they say) from thence no other conclusion can be made, But that this present Parliament is not a full nor free Convention, and that to make it such the presence of us is necessary.

we muſt appeal to all the World, whether in truth that concluſion be not very apparent from the truth of their proceedings, and even to the Conſciences of theſe men themſelves; whether whilſt we were amongſt them, we enjoyed that liberty and freedom which was due to us; and whether (if there were no danger of breach of duty in being willingly and conſtantly preſent where Actions of Treaſon are plotted and concluded) we could now be with them without engaging our ſelves in that Covenant, which as it takes away all freedom and liberty of Councell, ſo cannot be taken without the violation of our duty and Allegiance. For the deſerting the great truſt repoſed in us, we cannot with the leaſt colour be accuſed; we wiſh it had not been, or were not now broken on their parts, on ours we are ſure it is not; except obſervation of our Oathes lawfully taken and enjoyned, and ſubmiſſion to the known eſtabliſhed Laws of the Land, the preſervation of which is our greateſt truſt, be to deſert the Truſt repoſed in us: What they have done, who have broken through all theſe, and will not at laſt conſent to the binding up the wounds they have made, we muſt leave to the World to judge. In the mean time, ſince 'tis apparent they uſe their utmoſt endeavours to make Peace impoſſible, and (having enriched themſelves by theſe publique Calamities, and impoveriſhed their Countrey by the tranſportation of the wealth thereof into Forreign Parts) have left themſelves no other means to repay thoſe vaſt Summes they have extorted from the People upon that they call Publique Faith, but out of the Eſtates

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of those who have preserved their duty and Loyalty entire, and at the prize of their Religion and Laws intend to establish a Government and Empire to themselves, all good men who desire Peace will joyn with us in the suppressing these Enemies of Peace, and by a Resolute and unanimous Declaration of themselves, rise as one Man in the assistance of His Majesty, with their persons and their Fortunes, which is the onely means, with Gods blessing, to restore and preserve the Religion, Laws and Liberties of the Kingdom, and the very being of Parliaments, the which if these men have any minde to do (it being not so easily to be done any other way) they will at last be willing, that all the Members of both Houses may meet in a full and free Convention of Parliament, which we have alwayes desired, and shall be alwayes ready to do.

His Majesties Message to both Houses *Aprill* 12. 1643.

Concerning Disbanding of both Armies, and His Majesties return to both Houses of Parliament.

TO shew to the whole world how earnestly His Majesty longs for Peace, and that no successe shall make Him desire the continuance of His Army to any other end, or for any longer time then that, and untill things may be so setled, as that the Law may have a full, free, and uninterrupted course, for the defence and preservation of the Rights of His Majesty, both Houses, and His good Subjects.

1 As soon as His Majesty is satisfied in His first Proposition concerning His own Revenue, Magazines, Ships, and Forts, in which He desires nothing but that the Just, Known, Legall Rights of His Majesty (devolved to Him from His Progenitors) and of the Persons trusted by Him, which hath violently been

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taken from both, be restored unto Him and unto them, unlesse any Just and Legall exceptions against any of the Persons trusted by Him (Which are yet unknown to His Majesty) can be made appear to Him.

2. As soon as all the Members of both Houses shall be restored to the same capacity of sitting and Voting in Parliament, as they had upon the first of January, 1641. the same of right belonging unto them by their Birth-Right, and the free Election of those that sent them; and having been Voted from thence for adhering to His Majesty in these distractions: His Majesty not intending that this should extend either to the Bishops, whose Votes have been taken away by Bill, or to such in whose places upon new writs new Elections have been made.

3. As soon as His Majesty and both Houses may be secured from such tumultuous Assemblies, as to the great breach of the Priviledges, and the high dishonour of Parliaments, have formerly assembled about both Houses, and aided the Members of the same, and occasioned the

seperall complaints from the Lords House, and two seperall desires of that House to the House of Commons, to joyn in a Declaration against them, the complying with which desire, might have prevented all these miserable distractions which have ensued. Which security His Majesty conceives can be onely setled by adjourning the Parliament to some other place, at the least twenty miles from London, the choyce of which His Majesty leaves to both Houses.

His Majesty will most cheerfully and readily consent that both Armies be immediatly disbanded, and give a present meeting to both His Houses of Parliament at the time and place, at and to which the Parliament shall be agreed to be adjourned.

His Majesty being most confident, That the Law will then recover the due credit, and estimation, and that upon a free debate in a full and peaceable convention of Parliament, such Provisions will be made against seditious Preaching and Printing against His Majesty, and the establisht

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Lawes, which hath been one of the chief causes of the present distractions; and such care will be taken concerning the Legall and known Rights of His Majesty, and the Property and Liberty of His Subjects, that whatsoever hath been published or done in or by colour of any illegall Declaration, Ordinance, or Order of one or both Houses, or any Committee of either of them, and particularly the power to raise Arms without His Majesties consent, will be in such manner recalled, disclaimed and provided against, that no seed will remain for the like to spring out of for the future, to disturb the Peace of the kingdom, and to endanger the very being of it.

And in such a convention His Majesty is resolved by His readinesse to Consent to whatsoever shall be proposed to Him by Bill for the Reall good of His Subjects, (and particularly for the better discovery and speedier conviction of Recusants, for the Education of the Children of Papists by Protestants in the Protestant Religion, for the prevention of practices of Papists against the State, and the due exution of

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the Laws, and true levying of the penalties against them) to make known to all the World, how causeless those Fears and Jealousies have been, which have been raised against him, & by that so distracted this miserable Kingdom. And if this offer of His Majesty be not consented to, (in which he asks nothing for which there is not apparent Justice on his side, and in which he defers many things highly concerning both himself and People, till a full & Peaceable Convention of Parliament, which in Justice he might now require) His Majesty is confident that it will then appear to all the World, not onely who is most desirous of Peace, and whose fault it is that both Armies are not now disbanded, but who have been the true and first cause that this Peace was ever interrupted, or these Armies raised; and the beginning or continuance of the war, and the destruction and desolation of this poor Kingdom (which is too likely to ensue) will not, by the most interessed, passionate or prejudicate Person, be imputed to His Majesty.

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His Maiesties Message to both Houses *May* 19. in pursuance of the foregoing Message.

SInce his Majesties Message of the twelfth of April (in which he conceived he had made such an Overture for the immediate Disbanding of all Armies, and Composing of the present miserable distractions, by a full and free conversation in Parliament, that a perfect and setled peace would have ensued) hee finds all this time (above a full Moneth) procured no Answer from both Houses, his Majesty might well believe himself absolved before God and Man, from the least possible Charge of not having used his utmost endeavour for Peace; yet when he considers that the Scene of all this Calamity is in the Bowells of his own Kingdom, that all the Blood which is spilt is of his own

Subjects, and that what victory soever it shall please God to give Him, must be over those who ought not to have lifted up their hands against Him; When He considers that these desperate civill Dissentions may encourage and invite a Forreign Enemy to make a Prey of the whole Nation; That Ireland is in present danger to be totally lost; That the heavy Judgements of God, Plague, Pestilence and Famine, will be the inevitable Attendants of this unnaturall Contention; And that in a short time, there will be so generall a habite of uncharitablenesse and Cruelty contracted throughout the Kingdom, that even Peace it self will not restore His People to their old Temper and Security, His Majesty cannot but again call for an Answer to that His Message, which gives so fair a Rise to end these unnaturall Distractions. And His Majesty doth this with the more earnestnesse, because He doubts not the condition of his Armies in severall parts, His strength of Horse, Foot, and Artillery, His Plenty of Ammunition (which some men lately might conceive he wanted)

wanted) is so well known and understood, that it must be confessed, that nothing but the tenderness and Love to His People, and those Christian Impressions which alwayes have, and he hopes alwayes shall dwell in His Heart, could move Him once more to hazard a Refusall. And He Requires them as they will answer to God, to Himself, and all the World, That they will no longer suffer their fellow Subjects to Welter in each others Blood; That they will remember by Whose Authority, and to what end they met in that Councell, and send such an Answer to His Majesty as may open a Door to let in a firm Peace and Security to the whole Kingdom. If His Majesty shall again be disappointed of His Intentions herein, the Blood, Rapine and Distraction, which must follow in England and Ireland, will be cast upon the Accompt of those who are deaf to the motion of Peace and Accommodation.

FINIS.